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HOUSE BILL 886

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

WILLIAM E. PORTER

AN ACT

RELATING TO TAXATION; AMENDING A SECTION OF THE PROPERTY TAX
CODE PERTAINING TO VALUATION OF MANUFACTURED HOMES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-36-26 NMSA 1978 (being Laws 1973,
Chapter 258, Section 27, as amended) is amended to read:

"7-36-26. SPECIAL METHOD OF VALUATION-- MANUFACTURED
HOMES. --

A. The owner of a manufactured home subject to
valuation for property taxation purposes shall report the
manufactured home annually for valuation to the county assessor
of the county in which the manufactured home is located on
January 1. The report shall be in a form and contain the
information required by department regulation and shall be made
no later than the last day of February of the tax year in which

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1 the property is subject to valuation.

2 B. The valuation method used for determining the
3 value of manufactured homes for property taxation purposes shall
4 be a cost method applying generally accepted appraisal
5 techniques and shall generally provide for:

6 (1) the determination of initial cost of a
7 manufactured home based upon classifications of manufactured
8 homes and sales prices for the various classifications;

9 (2) deductions from initial cost for allowable
10 depreciation, which allowances for depreciation shall be
11 developed by the [~~division; and~~] department;

12 (3) deduction from initial cost of other
13 justifiable factors, including but not limited to functional and
14 economic obsolescence; and

15 (4) measurement of the square footage of the
16 manufactured home not including the tongue

17 C. Whether or not the presence of a manufactured
18 home is declared and reported by the owner to a county assessor
19 as required by this section, the county assessor shall determine
20 the value for property taxation purposes of each manufactured
21 home located in the county and subject to valuation. County
22 assessors shall use the information required to be furnished
23 them under Sections 66-6-10 and 66-7-413 NMSA 1978 to assure
24 that accurate records of locations of manufactured homes are
25 maintained.

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1 D. Any person who intentionally refuses to make a
2 report required of him under this section or who knowingly makes
3 a false statement in a report required under this section is
4 guilty of a misdemeanor and shall be punished by the imposition
5 of a fine of not more than one thousand dollars (\$1,000).

6 E. Any person who fails to make a report required of
7 him under this section is liable for a civil penalty in an
8 amount equal to five percent of the property taxes ultimately
9 determined to be due on the property for the tax year or years
10 for which he failed to make the required report.

11 F. Any person who intentionally refuses to make a
12 report required of him under this section with the intent to
13 evade any tax or who fails to make a report required of him
14 under this section with the intent to evade any tax is liable
15 for a civil penalty in an amount equal to twenty-five percent of
16 the property taxes ultimately determined to be due on the
17 property for the tax year or years for which he refused or
18 failed to make the required report.

19 G. The civil penalties authorized under Subsections
20 E and F of this section shall be imposed and collected at the
21 time and in the manner that the tax is imposed and collected.
22 In order to assist in the imposition and collection of the
23 penalties, the assessor having responsibility for determining
24 the value of the property shall make an entry in the valuation
25 records indicating the liability for any penalties due under

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1 this section. "

2 Section 2. APPLICABILITY. -- The provisions of this act
3 apply to the 1998 and subsequent property tax years.

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State of New Mexico
House of Representatives

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

February 24, 1997

Mr. Speaker:

Your TAXATION AND REVENUE COMMITTEE, to whom has
been referred

HOUSE BILL 886

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 2, line 1, after the period, insert: "If the
department provides that the report required by this section
include information on the size of a manufactured home, the
department shall require that the owner not include the tongue in
any measurement of the square footage of the manufactured home."

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2. On page 2, line 11, after the semicolon insert "and".

3. On page 2, line 14, strike "; and", strike all of line 15
and strike line 16 up to the period.

Respectfully submitted,

Jerry W. Sandel, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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The roll call vote was 11 For 0 Against

Yes: 11

Excused: Russell, Sandoval

Absent: None

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FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

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March 19, 1997

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10 Mr. President:

11

Your WAYS AND MEANS COMMITTEE, to whom has been

12

referred

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14

HOUSE BILL 886, as amended

15

16 has had it under consideration and reports same with

17

recommendation that it DO PASS.

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Respectfully submitted,

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Carlos R. Cisneros, Chairman

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Duran, McSorley

Absent: None

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